

### **REMARKS**

Claims 1-8 and 10-43 remain pending in the application. Claim 1 has been amended to improve readability.

#### ***I. REJECTIONS OF CLAIMS 1-8 AND 10-43 UNDER 35 USC §102/§103***

Claims 1-8 and 10-43 are pending in the present Office Action. Claim 1 is the only independent claim.

- (a) *Claims 1-2, 4-8, 10-43 are rejected as being obvious based Nishiguchi in view of May et al..*
- (b) *Claim 3 is rejected as being obvious over Nishiguchi, in view of May et al., and further in view of Jung*

Referring to Fig. 6 of the present application, for example, claim 1 has been amended to emphasize that the light output of the polarization modifying element 5 is a non-uniform wavefront of unequal proportions of slow and fast axis components. In turn, the output polarizer 7 cooperates with the polarization modifying element 5 so that each first light path through each region 8 of the first set and the output polarizer 7 has substantially the same attenuation and phase change to light from the input polariser 4 as each second light path through each region 9 of the second set and the output polarizer 7 to output a uniform wavefront (e.g., equal phase and attenuation to result in the slow axis component alone). In a conventional device such as that shown in Fig. 5, the output polarizer 7 is oriented so as to provide non-uniform wavefront.

The present invention accounts for the unexpected need for different phase configurations in an asymmetric system which result in equal phase after the polarizer from each region. This has the advantage that the interference pattern due to light from different regions will be the same as that due to a plane wave (as there is no spatial phase variation) and so no spatial brightness variation is seen. The present invention is particularly suitable in the 2D mode of a 2D-3D switchable display as a configuration to produce equal phase across the display (see, e.g., claims 8, 15, 24, etc. relating to respective modes of operation).

Nishiguchi does not teach or render obvious such a configuration as recited in claim 1. Indeed, the potential for needing to account for two different configurations with respect to phase does not arise because the system in Nishiguchi is symmetric. In Nishiguchi the polarisers are orthogonal so only one relevant polarization can be considered.

May et al. and Jung do not make up for the deficiencies. In Jung the polarisers are again orthogonal so only one relevant polarization can be considered. In May et al., the polarisers can be at 45 degrees but the retarder arrangement is symmetric so the two different wavefronts in fact have the same spatial intensity variation. Thus, the unexpected result of two potential intensity distributions does not occur in any of Nishiguchi, May et al. and Jung and therefore the selection of a particular configuration of the output polarizer is neither taught nor rendered obvious by such references whether taken alone or in combination.

For at least the above reasons, applicants respectfully request withdrawal of the rejections.

## ***II. CONCLUSION***

Accordingly, all claims 1-8 and 10-43 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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